

RECEIVED  
CENTRAL FAX CENTER

JAN 30 2006

SER. NO. 09/931,540

PATENT  
Docket No. RPS920010111US1

Certificate of Mailing/Facsimile 37 CFR 1.8(a)

I hereby certify that this correspondence is being:

\_\_\_\_\_ deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: ☒ transmitted by facsimile to 571 273 8300

COMMISSIONER OF PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

on

January 30 2006

By

Daniel E. McConnell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
G.T. Davis et al

Serial No. 09/931,540

Filed: 16 Aug 2001

For: Connection Allocation Technology

: January 30, 2006  
:  
:  
: IBM Corporation  
: Dept. YXSA, Bldg. 002/2  
: P.O. Box 12195  
: Res. Tri. Park, NC 27709  
:  
: Group Art Unit: 2142  
:  
: Examiner: B.A. Ailes

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT

International Business Machines, owner of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of full statutory term defined in 35 USC 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Application No. 09/764,954, US Patent No. 6,870,811. The owner

01/31/2006 CNGUYEN 00000081 500563 09931540

01 FC:1814 130.00 DA

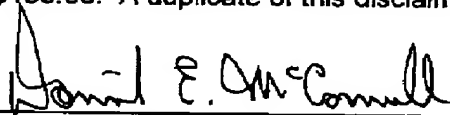
**SER. NO. 09/931,540****PATENT**  
**Docket No. RPS920010111US1**

hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full, statutory term as defined in 35 USC 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its fully statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willfully false statements may jeopardize the validity of the application or any patent issued thereon.

Charge Account 50-0563 the sum of \$130.00. A duplicate of this disclaimer is attached.



Daniel E. McConnell  
Atty. Reg. No. 20,360  
Customer No. 25299  
Telephone: 919-510-4246  
Fax: 919-787-2749

**SER. NO. 09/931,540****PATENT**  
**Docket No. RPS920010111US1**

---

**Certificate of Mailing/Facsimile 37 CFR 1.8(a)**

I hereby certify that this correspondence is being:

\_\_\_\_\_ deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: ☒ transmitted by facsimile to 571 273 8300

COMMISSIONER OF PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

on January 30 2006  
By Daniel E. McConnell

---

---

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	:	January 30, 2006
G.T. Davis et al	:	
Serial No. 09/931,540	:	IBM Corporation
Filed: 16 Aug 2001	:	Dept. YXSA, Bldg. 002/2
For: Connection Allocation Technology	:	P.O. Box 12195
	:	Res. Tri. Park, NC 27709
	:	Group Art Unit: 2142
	:	Examiner: B.A. Ailes

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT**

International Business Machines, owner of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of full statutory term defined in 35 USC 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Application No. 09/764,954, US Patent No. 6,870,811. The owner

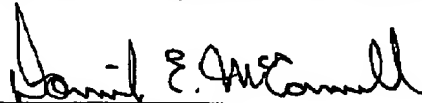
**SER. NO. 09/931,540****PATENT  
Docket No. RPS920010111US1**

hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full, statutory term as defined in 35 USC 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its fully statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willfully false statements may jeopardize the validity of the application or any patent issued thereon.

Charge Account 50-0563 the sum of \$130.00. A duplicate of this disclaimer is attached.



Daniel E. McConnell  
Atty. Reg. No. 20,360  
Customer No. 25299  
Telephone: 919-510-4246  
Fax: 919-787-2749